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NASA Procedural Requirements

COMPLIANCE IS MANDATORY

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(NASA Only)

Subject: Anti-Harassment Procedures

Responsible Office: Office of Diversity and Equal Opportunity

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Chapter 2. Anti-Harassment Procedures

2.1 Immediate Response

2.1.1 NASA employees who believe that they have been the victim of harassment that they believe to be in violation of NASA policy are expected to report the matter immediately to their supervisor, the Center Anti-Harassment Coordinator, or other official(s) as designated by the Center Director.

2.1.1.1 In the event that the person to whom the alleged harassment is reported fails to take prompt action, the employee shall immediately report the alleged harassment to the Center Anti-Harassment Coordinator.

2.1.1.2 In the event that the employee's first line supervisor is the alleged harasser, the employee shall contact the second line supervisor, the Center Anti-Harassment Coordinator, or other official as designated.

2.1.2 If an official other than the first-line supervisor receives the allegation, he or she shall immediately refer the matter to the aggrieved employee's first-line supervisor.

2.1.3 In the event that the employee's first line supervisor is the alleged harasser, the official shall contact the second line supervisor, Center Anti-Harassment Coordinator, or other official as designated.

2.1.4 Upon receiving an allegation of harassment or witnessing what is believed to be harassing conduct, the supervisor shall immediately:

2.1.4.1 Assess the situation to determine the severity of the alleged misconduct and whether any immediate corrective action is required.

2.1.4.2 Immediately consult with the Center Anti-Harassment Coordinator and/or with subject-matter experts, e.g., HR, EEO, Chief Counsel, to determine whether a fact-finding or other action is warranted.

2.1.5 Where fact-finding is warranted, immediately conduct and promptly complete a fact-finding. A supervisor may instead choose to designate a Fact Finder, depending on the circumstances.

2.1.6 If the allegation involves a contract employee being harassed by another contract employee at a NASA facility, the supervisor shall immediately contact the Director of Procurement for referral to the appropriate contracting official.

2.2 Fact-Finding

2.2.1 The fact-finding shall include, at a minimum, interviews with: (1) the alleged victim, (2) the alleged harasser(s), and (3) any witnesses to the alleged conduct.

2.2.2 The fact-finding shall be confined solely to the allegations of harassment. (Fact Finders shall refer other allegations brought to their attention during the course of the fact-finding to the appropriate office, i.e., EEO, HR. Such allegations shall not be part of the written report.)

2.2.3 The Fact Finder shall document any refusal to cooperate in the fact-finding process (see Appendix B, providing guidance on questions for fact-finders in harassment inquiries).

2.2.4 A written report (Fact-Finding Report) shall be prepared by the Fact Finder.

2.2.4.1 The information contained in the Fact-Finding Report shall include a summary of all fact-finding steps taken and evidence gathered.

2.2.4.2 A copy of the report shall be provided to the manager or supervisor (where the manager or supervisor does not personally conduct the fact-finding) and the Center Anti-Harassment Coordinator promptly after the fact-finding is completed.

2.2.5 The Center Anti-Harassment Coordinator shall maintain fact-finding and related records in accordance with the Privacy Act, NPR 1441.1, NASA Records Retention Schedules, and NPR 1382.1, NASA Privacy Procedural Requirements.

2.2.6 All information shall remain confidential to the greatest extent possible with the greatest possible care taken to ensure the privacy of those involved and information pertaining to the matter shared strictly on a "need to know" basis. The maintenance of records and any disclosures of information from these records shall be in compliance with the Privacy Act, 5 U.S.C. 552a, NPR 1441.1, NASA Records Retention Schedules, and NPR 1382.1, NASA Privacy Procedural Requirements.

2.3 Action to be Taken Upon Completion of the Fact-Finding

2.3.1 The supervisor shall immediately review the results of the fact-finding and determine in consultation with the Center Anti-Harassment Coordinator and subject matter experts, e.g., HR, EEO, Chief Counsel, what action, if any, is recommended in the case and take action, as necessary.

2.3.2 No action shall be taken involving the alleged harassee, e.g., transferring the

victim to another office, without his or her consent.

2.3.3 The manager or supervisor shall notify the alleged harasser of the completion and general outcome of the process, consistent with the Privacy Act.

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